

STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF ALLEN                 ) CAUSE NO.

ARTURO LOPEZ VILLALOBOS

VS.

ABDIKADIR MOHAMED and  
MOON LINE LLC

### **COMPLAINT FOR DAMAGES**

Come now the Plaintiff, Arturo Lopez Villalobos, by counsel, the Ken Nunn Law Office, and for his cause of action against the Defendants, Abdikadir Mohamed and Moon Line LLC, alleges and states as follows:

### **STATEMENT AND JURISDICTION**

1. This is a clear liability collision in which Defendants' 2006 Freightliner tractor was negligently driven by Defendant, Abdikadir Mohamed, causing a collision with the bicycle ridden by Plaintiff, Arturo Lopez Villalobos. As a result of the collision, Plaintiff has incurred medical expenses, lost wages, property damage and other special expenses in an amount to be proven at trial of this cause.

2. Jurisdiction and venue are appropriate in Allen County, Indiana, as said collision occurred within the boundaries of Allen County, State of Indiana.

### **FIRST CAUSE OF ACTION**

#### **NEGLIGENCE OF TRUCK DRIVER**

3. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 2 above as if fully restated verbatim.

4. On or about February 19, 2022, Defendant Abdikadir Mohamed negligently drove a tractor-trailer striking the bicycle ridden by Plaintiff, Arturo Lopez Villalobos.

5. Defendant Abdikadir Mohamed had a duty to operate his tractor trailer in a safe and reasonable manner.

6. Defendant Abdikadir Mohamed failed in the above mentioned duties and is therefore negligent.

7. Defendant Abdikadir Mohamed's negligence was the direct and proximate cause of Plaintiff's injuries.

8. Plaintiff's injuries and damages are permanent.

9. As a direct and proximate result of Abdikadir Mohamed's negligence, Arturo Lopez Villalobos has suffered lost wages.

10. Plaintiff, Arturo Lopez Villalobos, has incurred medical bills for the treatment of his injuries directly resulting from this collision.

11. As a direct and proximate result of Abdikadir Mohamed's negligence, Arturo Lopez Villalobos has experienced physical and mental pain and suffering, lost wages and property damage and has lost the ability to perform usual activities, resulting in a diminished quality of life.

## **SECOND CAUSE OF ACTION**

### **NEGLIGENCE PER SE OF TRUCK DRIVER**

12. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 11 above as if fully restated verbatim.

13. Abdikadir Mohamed violated state and federal statutes and regulations including but not limited to Title 9 of the Indiana Code.

14. Defendant Abdikadir Mohamed's statutory violations directly and proximately caused Plaintiff's damages and injuries.

15. Defendant Abdikadir Mohamed is negligent per se based on these statutory and regulatory violations.

## **THIRD CAUSE OF ACTION**

### **RESPONDEAT SUPERIOR OF TRUCK COMPANY**

16. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 15 above as if fully restated verbatim.

17. Defendant Abdikadir Mohamed was the employee, agent, servant, or independent contractor for Moon Line LLC. Accordingly, Moon Line LLC is vicariously liable for the acts of Defendant Abdikadir Mohamed for the causes of action above.

WHEREFORE, the Plaintiff, Arturo Lopez Villalobos, by counsel, the Ken Nunn Law Office, demand judgment against the Defendants, Abdikadir Mohamed and Moon Line LLC, for permanent injuries in a reasonable amount to be determined at the trial of this cause, for medical expenses, lost wages, property damage and other special expenses, court costs and all other just and proper relief in the premises.

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**REQUEST FOR TRIAL BY JURY**

Comes now the plaintiff, by counsel, Ken Nunn Law Office, and requests that this matter be tried by jury pursuant to Trial Rule 38.

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